

DOCKET NO. CREA01-00023 (Previously DB001016-001)

PATENT

Customer No. 23990

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Shane E. Weyant, et al

Serial No. : 10/619,131

Filed : July 14, 2003

For : WALE AND RETAINING WALL SYSTEM

Group No. : 3671

Examiner : T.L. Mayo

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Appeals from the decision dated January 11, 2006, of the Primary Examiner finally rejecting Claims 1, 2, 4-7 and 28-34.

Applicant respectfully requests a one (1) month extension of time for filing a Notice of Appeal in response to the final Office Action dated January 11, 2006. The response period is presently set to expire on April 11, 2006, and if this Request for Extension of Time is granted, the new response date will be May 11, 2006.

A check in the amount of \$310.00 is enclosed in payment of the Notice of Appeal filing fee (\$250.00) and one-month extension fee (\$60.00). The Commissioner is hereby authorized to charge

05/16/2006 SHASSEN1 00000047 10619131

01 FC:2401

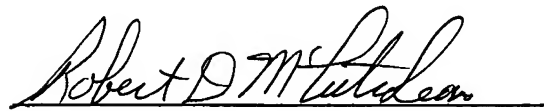
250.00 OP

any additional fees connected with this communication or credit any overpayment to Davis Munck
Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS, P.C.

Date: 5/11/2006



Robert D. McCutcheon

Registration No. 38,717

P.O. Drawer 800889
Dallas, Texas 75380
Tel: (972) 628-3600
Fax: (972) 628-3616
E-mail: rmccutcheon@munckbutrus.com